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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/922,032	07/31/2001	William J. Young	0007056-0069/P5132/RSH	7266
32658	7590	07/06/2004	EXAMINER	
HOGAN & HARTSON LLP ONE TABOR CENTER, SUITE 1500 1200 SEVENTEEN ST. DENVER, CO 80202			TO, BAOQUOC N	
			ART UNIT	PAPER NUMBER
			2172	13
DATE MAILED: 07/06/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/922,032

Applicant(s)

YOUNG ET AL.

Examiner

Baoquoc N To

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Prosecution Application

1. The request filed on 05/07/04 for a Request For Continued Prosecution (RCE) under 37 CFR 1.53(d) based on parent Application No. 09/922032 is acceptable and a RCE has been established. An action on the RCE follows.
2. Claims 1-20 are pending in this application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over King et al. (US. Patent No. 5,537,592).

Regarding on claims 1 and 11, King teaches a method for migrating a database, including the use of:

Obtaining said database in a first database format (one of the disks is a foreign file format disk) (col. 6, lines 66-67).

King does not disclose the user of abstract format. However, King teaches a disk system type, which is stored file specification for the files being transferred (col. 6, lines

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40-45). In addition, King discloses the claimed representing said database in an abstract format (col. 7, lines 1-9);

Representing said database in an abstract database format (col. 7, lines 1-9);

Using said abstract format to convert said database to a second format (translation flag is set all of the files are translated) (col. 7, lines 1-9); and

Migrating said database in said second database format (col. 7, lines 5-9).

Therefore, it would have been obviously to one ordinary skill in the art at the time of the invention was made to modify the file specification of King as the abstract database format in order to transfer the data file into the different system.

Regarding on claims 2 and 11, King teaches said database is a production database (col. 5, lines 45-50).

Regarding on claims 3 and 12, King teaches database uses a data model (col. 10, lines 47-50).

Regarding on claims 4 and 13, King teaches abstract comprises of one or more views (col. 6, lines 40-45).

Regarding on claims 5 and 14, King teaches step of using said abstract format further comprises: writing scripts (col. 7, lines 1-18).

Regarding on claims 6 and 15, King teaches step of writing said scripts further comprises:

Writing functions to correct data format conversion (col. 7, lines 1-18).

Regarding on claim 7 and 16, King teaches step of writing said scripts further comprises: building temporary tables to map values in the first format database to values in the second format database (col. 7, lines 20-26).

Regarding on claims 8 and 17, King teaches step of writing said scripts further comprises:

Extracting data from database in first format into insert statements for the database in the second format (col. 7, lines 20-26).

Regarding on claim 9 and 18, King teaches step of extracting data from database in first format into insert statements for the database in the second format further comprising:

Exporting a sample database (col. 7, lines 20-26);

Importing the said sample database into a test area (col. 7, lines 20-26);

Running said scripts created in claim (col. 7, lines 20-26); and

Comparing the data of the database in a first format with the data of the database in a second format (col. 7, lines 20-26).

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Regarding on claims 10 and 20, King teaches comparing said data of the database in a first format with said data of the database in a second format further comprises:

Comparing and checking the record counts (col. 7, lines 20-27);

Comparing and checking the key and other value counts (col. 7, lines 20-27);

Comparing and checking the graphical user interface (col. 7, lines 20-27); and

Comparing and checking the logs (col. 7, lines 20-27).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Wilmsen et al. (US. Patent No. 6,578,030 B1) Patent date: 06/10/20003

Contact Information

5, Any inquiry concerning this communication or earlier communications from the examiner should be directed to Baoquoc N. To whose telephone number is (703) 305-1949 or via e-mail BaoquocN.To@uspto.gov. The examiner can normally be reached on Monday-Friday: 8:00 AM – 4:30 PM, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached at (703) 305-9790.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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Washington, D.C. 20231.

The fax numbers for the organization where this application or proceeding is assigned are as follow:


(703) 872-9306 [Official Communication]

Hand-delivered responses should be brought to:

Crystal Park II
2121 Crystal Drive
Arlington, VA 22202
Fourth Floor (Receptionist).

Baoquoc N. To

June 14, 2004


Jean M. Corneilles
Primary Examiner
Art Unit 2172